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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

In the Matter of)
)
Replacement of Part 90 by Part 88)
to Revise the Private Land Mobile)
Radio Services and Modify the Policies)
Governing Them)
and)
Examination of Exclusivity and)
Frequency Assignment Policies of the)
Private Land Mobile Radio Services)

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JUL 16 1999

PR Docket No. 92-256
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Commission

Opposition to Petition for Partial Stay
Filed by Forest Industry Telecommunications

The United Telecom Council (UTC), formerly UTC, The Telecommunications Association, and the American Petroleum Institute (API) hereby submit this *Opposition to Petition for Partial Stay Filed by Forest Industry Telecommunications*. The *Petition for Partial Stay (FIT Petition)*,¹ asks the Federal Communications Commission (FCC) to stay the effectiveness of an amendment to Section 90.35(b) of FCC's Rules that was adopted in its *Second Memorandum Opinion and Order (Second MO&O)* in this proceeding. This amendment requires that frequencies that had been shared by Power and Petroleum industries with forest products industry (shared frequencies) be coordinated by, or subject to the concurrence of, the Power or Petroleum frequency coordinators.

¹ The *Petition* was filed on July 9, 1999. Pursuant to Section 1.45(d) of the FCC's Rules, oppositions are due within seven days of filing.

As the *FIT Petition* simply restates the arguments set forth in the *Motion for Expedited Partial Stay* filed by MRFAC, Inc., on July 7, 1999 (*MRFAC Motion*), and provides no additional grounds for consideration by the FCC, UTC and API need not waste the FCC's time by restating below their arguments made in response to the *MRFAC Motion*. Instead, UTC and API hereby incorporate by reference the arguments set forth in their opposition to the *MRFAC Motion* filed on July 14, 1999.² For the numerous reasons stated in this previously filed opposition, UTC and API strongly urge the FCC to deny the grant of the *FIT Petition* on the grounds that Forest Industry Telecommunications, like MRFAC, has filed to satisfy any of the requirements necessary for the grant of the stay.

² *Opposition to Motion for Expedited Partial Stay Filed by MRFAC, Inc.*, filed jointly by UTC and API on July 14, 1999 .

WHEREFORE, THE PREMISES CONSIDERED, UTC and API urge the
Federal Communications Commission to deny the *FIT Petition*.

Respectfully submitted,

United Telecom Council

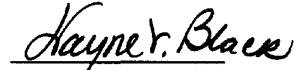
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Dated: July 16, 1999

CERTIFICATE OF SERVICE

I, Thomas Goode, do hereby certify that I have caused to be sent, this 16th day of July, 1999, by first class mail, postage prepaid, copies of the foregoing to the following:

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